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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/500,706	02/09/2000	Srinivasan K Ganapathi	61450/0261860	2981

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DAVIS, OCTAVIA L

ART UNIT	PAPER NUMBER
	2855

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. 09/500,706	Applicant(s) Ganapathi
Examiner Octavia Davis	Art Unit 2855



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1)  Responsive to communication(s) filed on May 5, 2003
- 2a)  This action is FINAL.      2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

- 4)  Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 1-40 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11)  The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved.
- 12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

- 13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) All b) Some\* c) None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

- 15)  Notice of References Cited (PTO-892)      18)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16)  Notice of Draftsperson's Patent Drawing Review (PTO-948)      19)  Notice of Informal Patent Application (PTO-152)
- 17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_      20)  Other: \_\_\_\_\_

Serial Number: 09/500, 706

Art Unit: 2855

## **DETAILED ACTION**

### ***Election/Restriction***

1. Applicant's election without traverse of Group I, Claims 1- 40 in Paper No. 16 is acknowledged.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 11 - 21 and 31 - 40 are rejected under 35 U.S.C. 102(b) as being anticipated by Saito et al.

Regarding claims 1 and 21, Saito et al disclose a magnetoresistance effect element and a magnetoresistance effect sensor used in a magnetic field sensor comprising a substrate 31, 51, a ferromagnetic layer 32, a nonmagnetic layer 33, 35 and a magnetoresistive layer 34 wherein a resistance of the magnetoresistive layer changes upon an applied stress ( See Cols. 11, 12, 23 and 24, lines 36 - 49, 14 - 28, 38 - 68 and 1 - 15, See Figs. 8 and 29c ).

Regarding claims 11 and 31, the nonmagnetic conducting layer includes Ta ( See Col. 12, lines 48 - 55 ).

Regarding claims 12, 14, 32 and 34, the ferromagnetic layer includes one of

an alloy of NiFeCr and a laminated layer of CoTaZr and NiFeCr ( See Col. 12, lines 32 - 37 ).

Regarding claims 13, 15, 16, 33, 35 and 36, the magnetoresistive layer including a nickel alloy ( See Col. 12, lines 32 - 37 ).

Regarding claims 17 and 37, the thickness of each of the ferromagnetic biasing layer, the nonmagnetic conducting layer and the magneto resistive layer is within a specific range ( See Cols. 7 and 12, lines 46 - 56 and 38 - 47 ).

Regarding claims 18 - 20 and 38 - 40, an underlayer 33 is disposed between the support structure 31 and the ferromagnetic biasing layer 32, the underlayer being formed of Ta ( See Fig. 8 ).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 2 - 10 and 22 - 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al in view of Saitou ( EP 0690296 ).

Regarding claims 2 - 10 and 22 - 30, Saito et al lack the support being a deformable beam and membrane and consisting of insulator layers and a conductor and having a length, thickness and width in a specific range. However, Saitou discloses a ceramic substrate 11 consisting of insulating layers 12, 13 and a conductive layer 15, the substrate having a specific length, width and thickness ( See

Pg. 4, lines 31 - 39 ). Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made of modify Saito et al according to the teachings of Saitou for the purpose of, providing a support structure that is capable of supporting plurality of layers integrally ( See Saitou, Page 2, lines 20 - 22 ).

6. Any inquiry concerning this communication should be directed to Examiner Octavia Davis at telephone number ( 703 ) 306 - 5896. The examiner can normally be reached on Monday - Thursdays ( 9:00 - 5:00 ), Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz, can be reached on ( 703 ) 305 - 4816. The fax phone number for the organization where this application where this application or proceeding is assigned is ( 703 ) 746 - 4409.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is ( 703 ) 308 - 0956.

OD/2855  
5/21/03



EDWARD LEFKOWITZ  
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